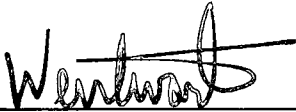


By



S.B. No. 754

A BILL TO BE ENTITLED

AN ACT

relating to the regulation of plumbing.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 3, The Plumbing License Law (Article 6243-101, Vernon's Texas Civil Statutes), is amended to read as follows:

Sec. 3. ACTS PERMITTED WITHOUT A LICENSE. The following acts, work and conduct shall be expressly permitted without license:

(a) Plumbing work done by a property owner in a building owned and ~~or~~ occupied by him as his homestead;

(b) Plumbing work that is not connected to a public water system and that is done:

(1) outside the municipal limits of any organized city, town or village in this state and not within 10 miles of a city, town or village of 50,000 or more inhabitants;~~[7]~~  
or

(2) within a [any-such] city, town or village of less than [five-thousand-+]5,000~~[+]~~ inhabitants that is not within 10 miles of a city, town or village of 50,000 or more inhabitants, unless a license is required by ordinance in the ~~[such]~~ city, town or village of less than [five-thousand-+]5,000~~[+]~~ inhabitants;

(c) Plumbing work done by anyone who is regularly employed as or acting as a maintenance man or maintenance engineer,

1 incidental to and in connection with the business in which he is  
2 employed or engaged, and who does not engage in the occupation of a  
3 plumber for the general public; construction, installation and  
4 maintenance work done upon the premises or equipment of a railroad  
5 by an employee thereof who does not engage in the occupation of a  
6 plumber for the general public; and plumbing work done by persons  
7 engaged by any public service company in the laying, maintenance  
8 and operation of its service mains or lines to the point of  
9 measurement and the installation, alteration, adjustment, repair,  
10 removal and renovation of all types of appurtenances, equipment and  
11 appliances, including doing all that is necessary to render the  
12 appliances useable or serviceable; appliance installation and  
13 service work done by anyone who is an appliance dealer or is  
14 employed by an appliance dealer, and acting as an appliance  
15 installation man or appliance service man in connecting appliances  
16 to existing piping installations; water treatment installations,  
17 exchanges, services, or repairs. Provided, however, that all work  
18 and service herein named or referred to shall be subject to  
19 inspection and approval in accordance with the terms of all local  
20 valid city or municipal ordinances;

21 (d) Plumbing work done by a licensed irrigator or  
22 licensed installer when working and licensed under Chapter 197,  
23 Acts of the 66th Legislature, Regular Session, 1979 (Article 8751,  
24 Vernon's Texas Civil Statutes). A person holding a valid license  
25 from the Texas State Board of Plumbing Examiners shall not be  
26 required to be licensed by any other board or agency when  
27 installing or working on a lawn irrigation system;

1 (e) Plumbing work done by an LP Gas installer when  
2 working and licensed under Chapter 113, Natural Resources Code, as  
3 amended.

4 SECTION 2. Section 15, The Plumbing License Law (Article  
5 6243-101, Vernon's Texas Civil Statutes), is amended to read as  
6 follows:

7 Sec. 15. MUNICIPAL RULES AND REGULATIONS. Every city or  
8 town in this state of 5,000 or more [~~than--five--thousand--(5,000)~~]  
9 inhabitants shall, and any city or town of this state of less than  
10 5,000 inhabitants may, by ordinance or by-law, prescribe rules and  
11 regulations for the materials, construction, alteration and  
12 inspection of all pipes, faucets, tanks, valves and other fixtures  
13 by and through which a supply of water, gas or sewage is used or  
14 carried; and provided that they shall not be placed in any building  
15 therein except in accordance with such rules and regulations; and  
16 shall further provide that no plumbing shall be done except in case  
17 of repairing of leaks, without a permit being first issued therefor  
18 upon such terms and conditions as such city or town shall  
19 prescribe; provided that no such ordinance, by-law, rule or  
20 regulation prescribed by any such city or town shall be  
21 inconsistent with this Act, or any rule or regulation adopted or  
22 prescribed by the State Board of Plumbing Examiners.

23 SECTION 3. The importance of this legislation and the  
24 crowded condition of the calendars in both houses create an  
25 emergency and an imperative public necessity that the  
26 constitutional rule requiring bills to be read on three several  
27 days in each house be suspended, and this rule is hereby suspended,

1     and that this Act take effect and be in force from and after its  
2     passage, and it is so enacted.

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE**  
**73rd Regular Session**

March 15, 1993

TO: Honorable O. H. (Ike) Harris, Chair  
Committee on State Affairs  
Senate Chamber  
Austin, Texas

IN RE: Senate Bill No. 754  
By: Wentworth

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on Senate Bill No. 754 (relating to the regulation of plumbing) this office has determined the following:

The bill would enlarge the territorial jurisdiction of the State Board of Plumbing Examiners to license practicing master and journeyman plumbers.

The bill's provisions would not result in any additional operational costs to the Board or increases in personnel. However, the Plumbing Examiners Fund 077 would receive additional revenue from examination and licensing fees received from plumbers currently practicing within the territorial boundaries prescribed by the bill, but who are presently excluded from compliance with the Plumbing License Law. The number of such plumbers is unknown; therefore, anticipated increases in revenue cannot be determined.

No fiscal implication to units of local government is anticipated.

Source: State Board of Plumbing Examiners;  
LBB Staff: JO, JWH, EC, RM, LC

## A BILL TO BE ENTITLED

AN ACT: relating to the regulation of plumbing.

3-9-93MAR 10 1993

Filed with the Secretary of the Senate

Read and referred to Committee on

STATE AFFAIRS

Reported favorably \_\_\_\_\_

Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.

Ordered not printed

Laid before the Senate

Senate and Constitutional Rules to permit consideration suspended by:

{ unanimous consent

{ \_\_\_\_\_ yeas, \_\_\_\_\_ nays

Read second time, \_\_\_\_\_, and ordered engrossed by:

{ unanimous consent  
a viva voce vote

{ \_\_\_\_\_ yeas, \_\_\_\_\_ nays

Caption ordered amended to conform to the body of the bill.

Senate and Constitutional 3 Day Rule suspended by a vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays.

Read third time, \_\_\_\_\_, and passed by:

{ A viva voce vote

{ \_\_\_\_\_ yeas, \_\_\_\_\_ nays

\_\_\_\_\_  
SECRETARY OF THE SENATE

## OTHER ACTION:

\_\_\_\_\_  
Engrossed\_\_\_\_\_  
Sent to House

Engrossing Clerk \_\_\_\_\_

\_\_\_\_\_  
Received from the Senate\_\_\_\_\_  
Read first time and referred to Committee on \_\_\_\_\_\_\_\_\_\_  
Reported favorably amended, sent to Printer at \_\_\_\_\_\_\_\_\_\_  
Printed and Distributed \_\_\_\_\_\_\_\_\_\_  
Sent to Committee on Calendars \_\_\_\_\_\_\_\_\_\_  
Read Second time (amended): passed to third reading (failed)

by (Non-Record Vote) Record Vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays \_\_\_\_\_ present not voting.

\_\_\_\_\_  
Constitutional Rule requiring bills to be read on three several days suspended (failed to suspend) by a four-fifths vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays \_\_\_\_\_ present not voting.\_\_\_\_\_  
Read third time (amended): finally passed (failed) by a (Non-Record Vote) Record Vote of\_\_\_\_\_  
\_\_\_\_\_ yeas, \_\_\_\_\_ nays \_\_\_\_\_ present not voting.\_\_\_\_\_  
Caption ordered amended to conform to body of bill.\_\_\_\_\_  
Returned to Senate.\_\_\_\_\_  
CHIEF CLERK OF THE HOUSE\_\_\_\_\_  
Returned from House without amendment.\_\_\_\_\_  
Returned from House with \_\_\_\_\_ amendments.\_\_\_\_\_  
Concurred in House amendments by a viva voce vote \_\_\_\_\_ yeas, \_\_\_\_\_ nays.

\_\_\_\_\_ Refused to concur in House amendments and requested the appointment of a Conference Committee to adjust the differences.

\_\_\_\_\_ Senate conferees instructed.

\_\_\_\_\_ Senate conferees appointed: \_\_\_\_\_, Chairman; \_\_\_\_\_, \_\_\_\_\_, and \_\_\_\_\_

\_\_\_\_\_ House granted Senate request. House conferees appointed: \_\_\_\_\_, Chairman; \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_ Conference Committee Report read and filed with the Secretary of the Senate.

\_\_\_\_\_ Conference Committee Report adopted on the part of the House by: \_\_\_\_\_

{ a viva voce vote  
\_\_\_\_\_ yeas, \_\_\_\_\_ nays

\_\_\_\_\_ Conference Committee Report adopted on the part of the Senate by: \_\_\_\_\_

{ a viva voce vote  
\_\_\_\_\_ yeas, \_\_\_\_\_ nays

**OTHER ACTION:**

\_\_\_\_\_ Recommitted to Conference Committee

\_\_\_\_\_ Conferees discharged.

\_\_\_\_\_ Conference Committee Report failed of adoption by: \_\_\_\_\_

{ a viva voce vote  
\_\_\_\_\_ yeas, \_\_\_\_\_ nays